

REMARKS

In accordance with the foregoing, the specification and claim 1 are amended. Claims 16 and 17 are added. No new matter is added. Claims 2-15 are cancelled without prejudice. Claims 1, 16 and 17 are pending and under consideration.

The specification is amended to correct some typographical errors.

CLAIM REJECTIONS UNDER 35 U.S.C. §101

Claims 6-10 are rejected under 35 U.S.C. §101 as allegedly being directed to non-statutory subject matter. The claim cancellation renders the rejection moot.

CLAIM REJECTIONS UNDER 35 U.S.C. §112

Claims 1-15 are rejected under 35 U.S.C. §112, first paragraph relative to "how a user can determine whether a customer is qualified or not." Applicant respectfully directs the Examiner's attention to the originally filed specification from page 12, line 17 to page 13, line 9 (i.e., from "When the request for transition [...]" to "[...] the requesting customer terminal"). In the indicated portion, the specification provides guidance regarding the criteria used to determine whether a customer is a "good" customer, and, thus, qualifies for the requested transition. Therefore, Applicant respectfully requests the rejection under 35 U.S.C. §112, first paragraph to be withdrawn.

Claims 1-15 are rejected under 35 U.S.C. §112, second paragraph relative to the form of the recitations therein. The claim language is amended herewith to clarify the claimed subject matter and conform to the U.S. patent claim practice. The claim amendments are supported by the originally filed specification, for example, FIGS. 1, 3, 4, and 10 with their corresponding descriptions in the specification. In view of the claim amendments, Applicant respectfully requests the rejection 35 U.S.C. §112, second paragraph to be withdrawn.

CLAIM REJECTIONS UNDER 35 U.S.C. §102

Claims 1-15 are rejected under 35 U.S.C. §102(b) as allegedly being anticipated by Japanese Patent Application No. JP 2002175431 to Namiki (hereinafter "Namiki").

Namiki discloses a method for selling portable telephones according to which a customer terminal receives information about a service provider during a negotiation process (see Abstract and Claim 1 of Namiki).

Amended independent claim 1, patentably distinguishes over Namiki at least by reciting

providing information about an after-transition service equivalent to a service contracted before transition to the customer terminal, the information being based on contents of the service contracted before the transition recovered using the telephone number included in the request, from a customer file storing service contents information correlated with telephone numbers, and information on services provided by portable telephone companies registered in a service map file.

There is no evidence that Namiki discloses that the mediating system has an equivalent of "a customer file storing service contents information correlated with telephone numbers" that would allow "providing information about an after-transition service equivalent to a service contracted before transition to the customer terminal."

Further Namiki fails to anticipate the following features of amended claim 1:

registering contents of an after-transition service correlated with the telephone number in the customer file, after receiving from the customer terminal a service selection notifying the after-transition service selected based on the information about the after-transition service equivalent of the service before transition.

The Office Action takes the position that all the features recited in claim 1 are anticipated by paragraphs [0060] and [0061] of Namiki. However, in the indicated paragraphs or in whole disclosure of Namiki, Applicant did not locate disclosure relevant to the above-identified features of claim 1.

Since Namiki fails to anticipate every feature recited in Applicant's claim 1, Applicant respectfully traverses, and requests reconsideration of, the rejection based on Namiki.¹

NEW CLAIMS

New claim 16 depends on claim 1 and specifies that the support method further includes

determining and notifying whether a customer qualifies for a service transition to the customer terminal, wherein the customer qualifies when customer information recovered from the customer file using the telephone number contained in the request for transition satisfies predetermined criteria.

Since no evidence was found that Namiki anticipates the above-identified features, claim 16 is patentable by inheriting patentable features from claim 1 and by reciting these additional distinguishing features.

¹ See MPEP 2131: "A claim is anticipated only if each and every element as set forth in the claim is found, either expressly or inherently described, in a single prior art reference," (Citations omitted) (emphasis added). See also MPEP 2143.03: "All words in a claim must be considered in judging the patentability of that claim against the prior art."

Independent claim 17 is directed to a computer-readable medium storing a support program for transition of service providers between portable telephone companies, the support program making a computer execute a method that distinguishes over the prior art at least by reciting:

providing information about an after-transition service equivalent to a service contracted before transition to the customer terminal, the information being based on contents of the service contracted before the transition recovered using the telephone number included in the request, from a customer file storing service contents information correlated with telephone numbers, and information on services provided by portable telephone companies registered in a service map file; and

registering contents of an after-transition service correlated with the telephone number in the customer file, after receiving from the customer terminal a service selection notifying the after-transition service selected based on the information about the after-transition service equivalent of the service before transition.

CONCLUSION

There being no further outstanding objections or rejections, it is submitted that the application is in condition for allowance. An early action to that effect is courteously solicited.

Finally, if there are any formal matters remaining after this response, the Examiner is requested to telephone the undersigned to attend to these matters.

If there are any additional fees associated with filing of this Amendment, please charge the same to our Deposit Account No. 19-3935.

Respectfully submitted,

STAAS & HALSEY LLP

Date: Sept. 5/2008

By:



Luminita A. Todor
Registration No. 57,639

1201 New York Avenue, N.W., 7th Floor
Washington, D.C. 20005
Telephone: (202) 434-1500
Facsimile: (202) 434-1501